IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 168 OF 2006

IN

CRIMINAL REVISION APPLICATION NO. 329 OF 2006

Brahmadev Laxman Mande ..... Applicant

Versus

The Food Inspector & Ors ..... Respondents

Mr. R.N. Gite for the Applicant

Mr. Rajesh More, A.P.P. for the Respondents

CORAM : ABHAY S. OKA, J.

DATE : 31ST AUGUST, 2006

P.C.

1) Rule. Learned A.P.P. waives service for the Respondents. Heard the Advocate for the Applicant and learned A.P.P. The conviction of the Applicant is under Section 16(1)(a) of the Prevention of Food Adulteration Act, 1954 and sub-rule 5 of rule 50 of Prevention of Food Adulteration Rules, 1955.

2) The Applicant was found selling milk without license. The charge of selling adulterated milk has

not been established against the Applicant. The Courts below and in particular the Appellate Court has noted that the age of the applicant is 75 years and he has lost his memory. Therefore a case is made out for grant of bail. Accordingly ad-interim order passed on 22nd August 2006 granting bail in favour of the Applicant in the sum of Rs.7500/- with one or two sureties in the like amount will operate till the final disposal of the Revision Application. Application is disposed of accordingly.

(ABHAY S. OKA, J.)